

HON. CHRISTOPHER R. FOLEY, BR. 14  
CIVIL J

21CV004701

ORDER SIGNED WAIVING COSTS

STATE OF WISCONSIN THIRD CIRCUIT COUNTY COURT OF MILWAUKEE.

Melvin Stevenson Jr

Plaintiff, Address 3414 w Wisconsin AV apt 302, Milwaukee WI, 53208. ERD Case No: 202100816

GENERAL MILLS,inc (Corporation)

EEOC Case No:443202101101C

Defendant Address 4625 S 6<sup>TH</sup> ST,Milwaukee, WI 53221

CLASSIFICATION: (CODE):30106

SUMMONS,

Court address, 901 n 9<sup>th</sup> ST.

15  
0105  
8-11-21  
W

AGENT FOR STATE PROCESS SERVICE, INC.

Time of Service  
Date of Service  
Served upon

FILED AND AUTHENTICATED  
AUG 05 2021  
JOHN BARRETT  
Clerk of Circuit Court

THE STATE OF WISCONSIN

To EMPLOYER named above as a defendant:

You are hereby notified that the plaintiff name above had filed a lawsuit or other legal action against you. The complaint states the nature and basis of the legal action.

The Defendant, General mills is in violation of Title VII Civil rights act 1964 have engage in, Misclassifying Employees. The defendant of being sued for harassment, emotion distress, Economic damages, Fraud, Retaliation against Plaintiff.

Within (20) (45) days after receiving this summons, you must respond with written answer as that term is used in WIS. Stat. ch. 802, to the complaint. The court may reject or disregard an answer that does not follow the requirement of the statutes. The answer must be sent or delivered to the court, whose address is, 901 n 9<sup>th</sup> ST Mil, WI. You may have an attorney help or represent you.

If you do not provide a proper answer within (20) (45) days, the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgement may be enforced as provided by law, a judgement awarding money may become a lien against any real estate you own now or in the future and also may be enforced by garnishment or seizure of property.

Notice of rights to sue

According to Article 4. Defendant upon whom summons may be serve [416.10-416.90] GENERAL MILLS,inc (Corporation)

County Clerk Signature//

Melvin Stevenson

*Melvin Stevenson*

*Plaintiff*

*State bar No.*

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Plaintiff Address, 3414 w Wisconsin AV apt 302 Milwaukee, Wisconsin, 53208

Tele, 414-346-5835

Email, mstevenson@gpsed.org

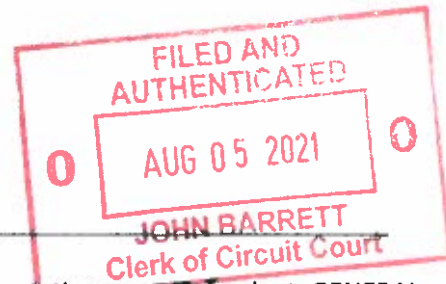
County Clerk of Third Circuit Court County of Milwaukee, Wisconsin

Melvin Stevenson Jr

Plaintiff, ADDRESS: 3414 W WISCONSIN AVE APT 302 Mil, WI 53208.

GENERAL MILLS,inc, (Corporation)

Defendant, ADDRESS: 4625 S 6TH ST, Milwaukee, WI 53221

COMPLAINT

The Plaintiff, Melvin Stevenson (hereinafter) under self-representation, sues Defendant, GENERAL MILLS,inc (hereinafter referred to as Plaintiff Employer )and in support alleges as following: unlawful retaliation, discrimination, hostile work environment, Breach of contract, misclassification, Emotional distress, loss of wages, employer negligence and labor abuse crimes.

Venues and jurisdiction

1. The Plaintiff Melvin Stevenson Jr Resident of Milwaukee county Wisconsin, Address 3414 w Wisconsin Ave Apt 302, zip code 53208.
2. The Defendant, GENERAL MILLS,inc residents of Milwaukee county Wisconsin, Address 3235 w Lincoln Ave contact 414-978-1124, location is 4625 S 6TH ST Milwaukee WI 53221
3. The complaint described herein took place in Milwaukee County of Wisconsin.
4. Location unlawful act happened at location site 4625 s 6<sup>th</sup> ST, Milwaukee county, Wisconsin. Damage and controversy from, Breach of contract, Pain and suffering, Lost wages, Punitive damages, claim valued in excess 6860000\$. Under jurisdiction of US code 1331.

Body

5.Plaintiff was hired as a contractor for Defendant doing general labor and filling seven different capacities at the job site General Mills located at 4625 s 6thst Milwaukee, Wisconsin on or about March 11 2020.

6.during Plaintiff employment a supervisor Frierson subjected plaintiff to racial harassment in that he referred to me to the N-word and cursed at me. On November 21, 2020, I reported the harassment but it continued . Plaintiff believes he was discriminated against on the basis of race,(African American) and in retaliation for engaging in protected activity, In that I was subjected to harassment and was discharged from employment in violation of title VII of the Civil Rights Act of 1964, as amended. Employer also engages in defamation of the Plaintiff.

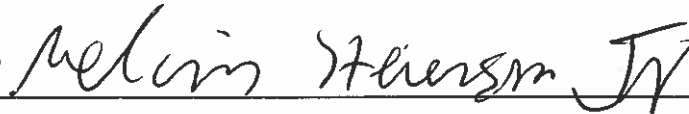
7. Plaintiff was fired by the defendant on February, 21 2021.

*Prayer for Relief.*

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WHEREFORE, Plaintiff, Melvin Stevenson demands judgement against Defendant, GENERAL MILLS,inc for compensatory damages, Economic Damages, Punitive Damages and Pain suffering in the amount excess of 6860000\$, plus cost, prejudgment interest and post-judgement interest as this court may deem appropriate. Further, Plaintiff demands a trial by jury on all issues so triable.

*Melvin Stevenson*



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Address 3414 w Wisconsin ave apt 302 Milwaukee W Wisconsin zip code 53208.

Email, [mstevenson@gpsed.org](mailto:mstevenson@gpsed.org)

Telephone,414-346-5835

Plaintiff, Melvin Stevenson, respectfully submitted.

# Melvin Stevenson Jr rebuttal statement.

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To 310 West Wisconsin Ave ,suite 500 Milwaukee Wisconsin. For Drake Van Thiel federal investigator.

From 3414 w Wisconsin ave apt 302.

EEOC charge No:443-2021-0110c

C43-2021-01918

Managers from General Mills can persuade and control the assignment of Elite Personal.

They have hire people from elite staffing

Elite Staffing employees complete the majority of all assignment compare to General Mills personal. Elite staff out number general mills at the job location at 4625 s 6<sup>th</sup> st Milwaukee WI.

I call into questioning the hiring process of General Mills; The employer never gave a response to the denial or approval of my application until 1 month after the charge.

I also think that general mills is definitely aware of payroll issues and the reporting of shifts and is in charge of payroll. Elite employee's personal clock in on the site at General Mills from 7 different location threw the building. They also give us paper to sign are name but general mills management are inform of employees clocking in and out. Usually on a construction site u sign a paper with the duty's u completed that day not clock in as if u were an employee.

General Mills employees and managers help Elite management train & assist with elite employee.

Whenever there accident at the job site general mills is in charge of reporting and conducting investigations with coworker and elite personal, General Mills management also was aware of Dre harassment.

They violated their contractual agreement by deciding the shift, position, placement, of the employee.

## MISCLASSIFYING ELITE EMPLOYEES AS INDEPENDENT CONTRACT.

Elite Supervisor authority can be greatly exercise by the management of general mills.

Management and there coworker at General Mills behaved inappropriate toward elite coworker and have engage in intentional interference also called tortious interference and negligent interference in the lives of elite employees.

General Mills assist Elite and the moving, placing, firing and the reporting of incident.

Management of the site was aware of the issue and my concerns.

Elite staffing violated my contract when the employer illegally retaliated against me and when they sent me home before my shift started because I didn't like being harass and given unlawful order.

Melvin Stevenson Jr

Under the legal doctrine sometime referred to as (RESPONDENT SUPERIOR) they contain enough control to legally and illegally exercise control of the manner in which the Elite personal perform their jobs according to General Mill false accusation of elite being an independent contractor and have no influence or authority over the organization.

The hiring party control and direct the work being done by the contractors at inappropriate levels.

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: **Melvin Stevenson, Jr.**  
**3414 W Wisconsin Ave Apt 302**  
**Milwaukee, WI 53208**

From: **Milwaukee Area Office**  
**310 West Wisconsin Ave**  
**Suite 500**  
**Milwaukee, WI 53203**

☐

On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

443-2021-01101

**Drake C. Van Thiel,**  
**Investigator**

(414) 662-3691

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

*Julianne Bowman*

8/2/2021

Enclosures(s)

**Julianne Bowman,**  
**District Director**

(Date Issued)

cc:

**General Mills Operations**  
**c/o Kate Wilson**  
**Little Mendelson, PC**  
**2301 MCGEE ST**  
**STE 800**  
**Kansas City, MO 64108**

*Melvin Stevenson Jr*

**INFORMATION RELATED TO FILING SUIT  
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),  
the Genetic Information Nondiscrimination Act (GINA), or the Age  
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope or record of receipt, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was issued to you** (as indicated where the Notice is signed) or the date of the postmark or record of receipt, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

**PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):**

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10** -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice **and** within the 2- or 3-year EPA back pay recovery period.

**ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:**

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do **not** relieve you of the requirement to bring suit within 90 days.

**ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:**

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

***IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.***



Department of Workforce Development  
Equal Rights Division  
819 N. 6th Street, Rm. 723  
Milwaukee, WI 53203  
Telephone: (414) 227-4384  
Fax: (414) 227-4084



Tony Evers, Governor  
Amy Pechacek, Secretary-designee

Date:

APR 20 2021

**NOTICE OF COMPLAINT  
EEOC TO PROCESS INITIALLY**

GENERAL MILLS  
4625 S 6<sup>TH</sup> ST  
MILWAUKEE WI 53221

Re: Melvin Stevenson Jr. v. General Mills  
ERD Case No.: 202100816  
EEOC Case No.: 443202101101C

To whom it may concern:

The enclosed charge of discrimination, which was originally filed with the Federal Equal Employment Opportunity Commission (EEOC), has also been filed with the State of Wisconsin Equal Rights Division (ERD).

The ERD and the EEOC have a work sharing agreement which covers the processing of complaints of discrimination that are prohibited under both federal law and the Wisconsin Fair Employment Law. The work sharing agreement provides that the agency which originally receives the complaint will process it first. Therefore, the ERD will take no action pending EEOC's processing of this complaint.

Please inform the ERD of any address changes. If you have any further questions regarding this case, contact the EEOC Office at 414-662-3680. Remember to have your EEOC case number ready for reference.

Sincerely,  
Bureau of Investigations

cc: Complainant



## CHARGE OF DISCRIMINATION

This form is subject to the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s)

☐ FEPA  
☒ EEOC

202100816

443-2021-01101

## Wisconsin Equal Rights Division

and EEOC

State or local Agency, if any

Name (Include Mr., Ms., Mrs.)

Home Phone (Ind. Area Code)

Date of Birth

Melvin Stevenson, Jr.

(414) 346-5835

Business Address

City, State and ZIP Code

3414 W Wisconsin Ave apt 302, Milwaukee, WI 53208

Name(s) of the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

No. Employees (Members)

Phone No. (Include Area Code)

GENERAL MILLS

201 - 500

(414) 978-1124

Business Address

City, State and ZIP Code

4625 S 6TH ST, Milwaukee, WI 53221

Name

No. Employees (Members)

Phone No. (Include Area Code)

Business Address

City, State and ZIP Code

Check all that apply (Check appropriate box(es))

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN  
☒ SEXUAL ORIENTATION ☐ AGE ☐ DISABILITY ☐ GENERIC INFORMATION  
☐ OTHER (Specify)

DATED DISCRIMINATION FROM DATE

Earliest 08-15-2020

Latest 02-12-2021

☐ CONTINUING ACTION

If you are filing this charge with the EEOC, attach copies of the following:

1. On March 15, 2020, I began working at Respondent after being referred to work there through Elite Staffing. During my employment, a supervisor Dre subjected me to racial harassment in that he referred to me as the N-word and cursed at me. On November 21, 2020, I reported the harassment, but it continued. On February 21, 2021, Respondent discharged me from employment.

2. I believe I was discriminated against on the basis of my race (African-American) and in retaliation for engaging in protected activity, in that I was subjected to harassment and was discharged from employment in violation of Title VII of the Civil Rights Act of 1964, as amended.

I declare under penalty of perjury that the above is true and correct.

Signature of Charging Party (Print Name and Title)

Signature of Employer (Print Name and Title)

Signature of Mediator (Print Name and Title)

Signature of Mediator (Print Name and Title)